

# **GENERAL LICENSURE INFORMATION**

## **THE ROLE OF THE ARIZONA STATE BOARD**

The Arizona State Board for Private Postsecondary Education (“Board”) is responsible for enforcing the statutes and rules relating to private postsecondary education in Arizona. In this capacity, this Board is charged with licensing and regulating persons and organizations operating vocational programs and granting degrees within the State of Arizona. Refer to the exhibit A for a list of possible exemptions from licensure requirements.

## **CLASSIFICATIONS OF LICENSES**

The Board issues two separate classifications of licenses; Vocational Program License and Degree-Granting License. A person must have a Vocational Program License to operate vocational programs and a Degree-Granting License to operate degree programs. Under A.R.S. § 32-3001 *et. seq.*, it is illegal to advertise, recruit students for, and/or operate vocational and degree programs in the State of Arizona without an appropriate license.

Arizona definitions are as follows:

**Private Vocational Program** means an instructional program which includes a course or group of courses for which a student does not earn a degree and which is designed to provide or is advertised as providing a student with sufficient skills for entry into a paid occupation.

**Degree** means an academic degree or honorary degree or the title of any designation, mark, appellation, series of letters or words including associate, bachelor, master, doctor or fellow which signifies, purports to signify or is generally taken to signify satisfactory completion of the requirements of an educational program of study beyond the secondary school level or which is an honorary title conferred for recognition of some meritorious achievement.

**Operate** means to establish, keep, maintain or utilize a physical facility, location or mailing address in this state where, from or through which students are procured for private vocational or private degree programs, private vocational or private degree programs are offered, or private vocational credentials or private degrees are offered or granted, and includes contracting for the performance of any of these acts.

### **Accredited vs. Non-Accredited**

Institutions or persons operating programs accredited by accrediting agencies approved by the United States Department of Education who are seeking to operate vocational or degree programs in the State of Arizona, may apply for and obtain a REGULAR VOCATIONAL PROGRAM LICENSE and/or a REGULAR DEGREE GRANTING LICENSE.

All other institutions or persons seeking to operate vocational and/or degree programs in the State of Arizona, must first apply for and obtain a CONDITIONAL VOCATIONAL PROGRAM LICENSE or a CONDITIONAL DEGREE GRANTING LICENSE. Conditional licenses are the first licenses issued for persons operating non-accredited vocational programs and/or non-accredited degree programs. Please refer to exhibit B: “Non-Accredited Degree-Granting License Information” for additional information on operation of non-accredited degree programs.

### **The Licensure Process**

To obtain a license to operate vocational or degree programs, a person must first go through the Board’s LICENSE APPLICATION PROCESS, which takes between 180 and 240 days and involves:

1. Submitting a required License Application (refer to exhibit C)
2. Submitting the appropriate, non-refundable application filing fee
3. Participating in an education facility inspection/visit
4. Appearing before the Board at a scheduled Board Meeting for licensure consideration
5. Receiving Board approval for licensure prior to recruiting students, enrolling students, accepting payment, and/or beginning educational instruction.

**In order (1) to obtain an opinion on licensure requirements for a particular instructional endeavor or (2) to receive a “license application packet”, you must first complete and submit to this Board Office the enclosed Letter of Intent (exhibit D), specifying the nature and scope of your proposed activities. Upon receipt and review of the Letter of Intent, you will be (1) forwarded a licensure application packet or (2) otherwise notified by the Board Office.**

Additional questions regarding license requirements or the licensure process may be directed to Board Staff .

# **EXHIBIT A**

## **EXEMPTIONS UNDER A.R.S. § 32-3001, §32-3021, §32-3022**

**A.R.S. § 32-3001(6):** “[vocational programs exempt from licensure include programs which are] conducted solely by a public school, public community college or public university.

**A.R.S. § 32-3021(F)(1) through (7):**“...[vocational program licensure] does not apply to any of the following:

1. A school licensed pursuant to Chapter 3 or 5 of this title.
2. An instructional program or course sponsored by a bona fide trade association solely for its members.
3. Privately owned academic schools engaged in the process of general education which is designed to produce a level of development equivalent to that necessary to meet the requirements for entrance into a public community college or public university in this state and which may incidentally offer technical and vocational courses as part of the curriculum.
4. School or private instruction conducted by any person engaged in training, tutoring or teaching individuals or groups, if the instruction is related to hobbies, avocations, academic improvement or recreation and may only incidentally lead to gainful employment and if the instruction is for a period of under forty hours and costs less than one thousand dollars.
5. Schools conducted by any person solely for training his own employees.
6. An instructional program or course offered solely for employees and for the purpose of improving the employees in their employment if both of the following apply:
  - (a) The employee is not charged a fee.
  - (b) The employer provides or funds the program or course pursuant to a valid written contract between the employee and the program or course provider.
7. Training conducted pursuant to 14 Code of Federal Regulations Part 141.

**A.R.S. § 32-3022(E):** “...[degree programs exempt from licensure are] religious degrees which are used solely for religious purposes within a religious organization which has tax exempt status from the internal revenue service.

**ARIZONA STATE BOARD FOR PRIVATE POSTSECONDARY EDUCATION  
GENERAL LICENSURE INFORMATION**

**EXHIBIT B**

**NON-ACCREDITED DEGREE GRANTING LICENSE  
GENERAL INFORMATION**

The Board is charged with licensing and regulating all persons and organizations operating degree programs and offering degrees within the State of Arizona. Board statute requires that a person shall not offer degree programs unless the person holds an **Arizona State Board for Private Postsecondary Education Degree-Granting License**.

Pursuant to A.R.S. § 32-3001 *et. seq.*, it is illegal to advertise, recruit students for, and/or operate educational programs in the State of Arizona without an appropriate license.

Degree programs are programs of study which earn a degree designation at the associate, baccalaureate, master, doctoral, or equivalent levels. The Board classifies degree-granting institutions by accreditation status. Although non-accredited persons or institutions may initially hold a degree-granting license, accreditation from an acceptable accrediting agency, approved by the United States Department of Education, must be obtained in order to continue to grant degrees in the State of Arizona.

Original licensure for a new, non-accredited degree-granting educational entity is a three step process outlined under A.A.C. R4-39-106, R4-39-107, and R4-39-104:

1. An educational institution seeking licensure as a degree-granting institution must apply for a one-year **CONDITIONAL DEGREE-GRANTING LICENSE**. (R4-39-106)
2. By the end of the one-year period of conditional licensure the educational institution must have demonstrated reasonable and timely progress toward obtaining proper accreditation. If the Board determines that the educational institution is making suitable progress, the Board may grant the educational institution a **PROVISIONAL DEGREE GRANTING LICENSE**. The provisional license may be renewed annually until such time as full accreditation is gained. (R4-39-107)
3. Once appropriate accreditation has been granted to the degree-granting institution, the institution shall be granted a **REGULAR DEGREE GRANTING LICENSE**. (R4-39-103)

**ARIZONA STATE BOARD FOR PRIVATE POSTSECONDARY EDUCATION  
GENERAL LICENSURE INFORMATION**

**EXHIBIT C**

**LICENSE APPLICATION CONTENT REQUIREMENTS**

The following is an overview of the documents, materials, and information that all private postsecondary vocational and degree-granting institutions applying for licensure through the Arizona State Board for Private Postsecondary Education will be required to submit:

1. Application Form
2. Application Filing Fee: \$800
3. A Surety Bond pursuant to A.R.S. § 32-3023. **The minimum amount of the Surety Bond is \$15,000.00.** The Board may require a Surety Bond in an amount greater than \$15,000.00. Please refer to the Substantive Policy Statement in Rule for the calculation used in determining the amount of the Surety Bond.
4. Proof of Accreditation Status: If the institution has institutional and/or specialized accreditation.
5. Financial Statements must be prepared by an independent, license CPA according to GAAP. Financial Statements must include a balance sheet, income statement, statement of changes in financial position, and accompanying accountant's notes.
6. Student Enrollment Agreement/Contract.
7. Copies of Student and/or Promotional Materials: Catalog, brochures, media copy, handbooks, policy and procedures manuals, etc.
8. Program/Course Curriculum Information.
9. List of Training Aids/Educational Resource Materials.
10. Copy of Certificate or Diploma to be conferred by the Institution.
11. Market Research Information and Information on Practitioner Requirements.
12. Organizational Chart
13. Resumes of School Owners, Board of Directors, Executive Officers, Administrative Directors.
14. Resumes of Faculty Members.
15. Copies of Incorporating Papers, if applicable.
16. Facility/Building Blueprints or One-Line-Drawing.
17. Copy of Fire Inspection Report.

After reviewing these materials, the Board may require additional information as it deems appropriate and/or necessary.

**THIS IS NOT THE APPLICATION PACKET. SUBMISSION OF THESE  
MATERIALS WILL NOT BE ACCEPTED AT THIS TIME.**

**ARIZONA STATE BOARD FOR PRIVATE POSTSECONDARY EDUCATION  
GENERAL LICENSURE INFORMATION**

**EXHIBIT D**

**LICENSE APPLICATION LETTER OF INTENT**

1. Name, Title, Address to which correspondence may be mailed and telephone number at which you may be reached.
  
  
  
  
  
  
  
  
  
  
2. Name under which the postsecondary entity will operate:
  
  
  
  
  
  
  
  
  
  
3. Name of the owner of the postsecondary entity/include corporation name if applicable and names of all individual owners with 20% or more ownership:
  
  
  
  
  
  
  
  
  
  
4. Is the postsecondary entity presently operating at this time? If so, list each state of operation and current status of licensure:
  
  
  
  
  
  
  
  
  
  
5. Has your postsecondary entity or have an persons named as owners ever been issued a school license in the state of Arizona? If yes, please specify circumstances.

**LETTER OF INTENT**  
**PAGE 2**

6. List the vocational programs and/or degree programs you plan to offer in Arizona. Include the complete degree designation for each degree program.
  
  
  
  
  
  
  
  
  
  
7. Do you plan to offer any home-study programs?
  
  
  
  
  
  
  
  
  
  
8. Will you be domiciled in Arizona, have a physical facility in Arizona, be primarily recruiting in Arizona? Explain.
  
  
  
  
  
  
  
  
  
  
9. Is the educational institution accredited? If so, list name of each accrediting body.
  
  
  
  
  
  
  
  
  
  
10. Please include any additional information regarding your educational intentions, as you deem appropriate and/or necessary. Attach additional sheets as necessary.

**PLEASE SUBMIT COPIES OF ALL ADVERTISING, STUDENT MATERIALS, PROGRAM MATERIALS, ETC.**

**RETURN THIS FORM TO:**      **ARIZONA STATE BOARD FOR PRIVATE  
POSTSECONDARY EDUCATION  
1400 West Washington, Room 260  
Phoenix, Arizona 85007**

# **ARIZONA STATE BOARD FOR PRIVATE POSTSECONDARY EDUCATION**

## **AMERICAN DISABILITIES ACT TITLE II**

### **PUBLIC NOTICE**

As a public entity, the Arizona State board for Private Postsecondary Education (“Board”), is subject to Title II of the American Disabilities Act. Title II prohibits discrimination against any “qualified individual with a disability” and requires that a public entity have policies and practices that do not adversely affect the full participation of individuals with disabilities in its programs, activities, and services.

The Board does not discriminate on the basis of disability in admission to, access to, or operations of its programs, services, or activities. The Board does not discriminate on the basis of disability in its hiring or employment practices.

An individual with a disability may request that Board materials be provided in an alternative format, may request auxiliary aids for effective communication, and may request reasonable accommodations to participate in Board meetings and hearings. Requests should be directed to the Board Executive Director.

For a copy of or access to the Board’s Title II, ADA policies regarding program, activity, and service access or a copy of or access to the Board’s ADA grievance procedure please contact the Board Executive Director.

Arizona State Board for Private Postsecondary Education  
1400 West Washington, Room 260, Phoenix, Arizona 85007  
(602) 542-5709